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UNCLAS LILONGWE 000343

SIPDIS

STATE FOR AF/S ADRIENNE GALANEK

E.O. 12958: N/A

TAGS: [PGOV](#) [KDEM](#)

SUBJECT: NATIONAL ASSEMBLY ADJOURNS

[1](#)1. SUMMARY. The National Assembly adjourned on Wednesday April 13 after meeting for eleven days. The two major issues during the sitting were the National Assembly's rejection of President Mutharika's choice for head of the Police and a motion to prohibit MPs from changing parties. The major moment of agreement was when all MPs agreed to increase the amount of funds for the Malawi Rural Development Fund (MARDEF) from MK 1 billion to MK 5 billion. Most of the issues on the National Assembly's agenda were left unaddressed, mainly because the GOM lacks a working majority to push its agenda to completion. END SUMMARY.

[1](#)2. The two major issues during the sitting were the National Assembly's rejection of President Mutharika's choice for head of the national police and a motion to amend section 65 of the Constitution. The National Assembly rejected President Bingu wa Mutharika's choice for Inspector General of Police, Mrs. Mary Nangwale. During a roll call vote 88 MPs voted against her confirmation, 83 voted for, and 8 abstained. (NOTE: Nangwale is the first female head of Police in Malawi and was appointed in June 2004; she had been carrying out her duties without parliamentary confirmation. Shortly after Parliament voted her down, Nangwale obtained a court injunction prohibiting her removal from office on procedural grounds. End Note.) The Nangwale confirmation took up so much time that the session had to change its adjournment date from Friday April 8 to Wednesday April 13, 2005.

[1](#)3. The constitutional amendment sponsored by John Tembo, leader of the opposition Malawi Congress Party (MCP), would require MPs to vacate their seats in the National Assembly upon leaving the party that sponsored them into Parliament for a different party or for independent status. Independent MPs will also vacate their seats upon joining a party in the Assembly.

[1](#)4. The major moment of agreement was a strong vote to increase funding for the Malawi Rural Development Fund (MARDEF) from MK1 billion to MK5 billion. MARDEF is a micro-loan scheme aimed the rural poor; it is to be funded by leveraging dormant accounts in the Reserve Bank of Malawi. The need for Parliamentary approval of the scheme has been a point of contention since the idea was introduced last year. Led by the opposition, MPs mandated the Parliamentary Budget and Finance Committee to oversee MARDEF's activities to ensure the funds are not used for politician gain. As a practical point, the funding mechanism will not extend beyond the originally conceived MK 1 billion; GOM officials privately admit that the fund is not likely to exceed MK 1 billion even after the coming fiscal year.

[1](#)5. COMMENT: Most of the issues on the National Assembly's agenda were not tackled, mainly because President Mutharika's supporters lack the working majority needed to push the agenda through quickly. The bitter debate over the police chief's confirmation cost Parliament the time it needed to deal with other issues, such as an anti-money laundering bill, a securities regulation bill, and an amendment of the penal code.

[1](#)6. While the lack of efficiency in this sitting is regrettable, it does show that Parliament is evolving into a more active policy-making body. In its recent history, Parliament has been far more compliant, doing more or less the president's bidding (with the notable exception of extending former President Muluzi's term limit). At this point, the opposition has shown that it can stop the government from pushing through its agenda and that it can introduce initiatives of its own. The next sitting may show whether the legislature can maintain a lively debate and get its work done.

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